

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
126181-1047

In Re Application Of: Summers, et al.

O I P E  
MAY 10 2004  
PTO-842  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

Serial No.  
08/954,954

Filing Date  
October 21, 1997

Examiner  
E. Kemmerer

Group Art Unit  
1646

Title:

**NOVEL ERYTHROPOIETIN RECEPTOR AGONISTS**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

1. Response to Office Action Mailed January 8, 2004;
2. Request for One Month Extension of Time;
3. Check in the amount of \$110.00; and
4. Acknowledgment Postcard.

in the above identified application.

- No additional fee is required.  
 A check in the amount of \$110.00 is attached.  
 The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 07-1053 as described below. A duplicate copy of this sheet is enclosed.  
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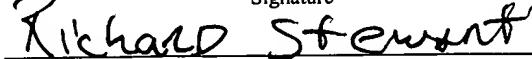
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Dated: May 10, 2004

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5-11-04

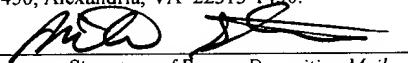
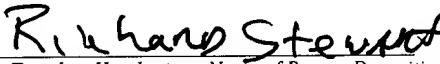
16468  
JFW

App. No. 08/954,954  
Reply to Office Action mailed January 8, 2004

PATENT  
Attorney Docket 126181-1047

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Summers, et al. )  
Appeal No.: 2003-0337 )  
Serial No.: 08/954,954 )  
Filing Date: October 21, 1997 )  
Group No.: 1646 )  
Examiner: E. Kemmerer )  
Title: Novel Erythropoietin )  
Receptor Agonists )

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail service under 37 C.F.R. 1.10 on the date indicated below and addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
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Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED JANUARY 8, 2004**

Dear Sir:

Applicants submit this response to the non-final Office action mailed January 8, 2004. In view of the following remarks, Applicants request reconsideration and withdrawal of the outstanding rejection, and allowance of the claims pending in this application.

**Remarks/Arguments begin on page 2 of this paper.**